

The New York Times
October 8, 1942.

PRESIDENT'S STATEMENT

The text of President Roosevelt's statement follows:

On Aug. 22 I said that this government was constantly receiving information concerning the barbaric crimes being committed by the enemy against civilian populations in occupied countries, particularly on the Continent of Europe. I said it was the purpose of this government, as I knew it to be the purpose of the other United Nations, to see that when victory is won the perpetrators of these crimes shall answer for them before courts of law.

The commission of these crimes continues.

I now declare it to be the intention of this government that the successful close of the war shall include provision for the surrender to the United Nations of war criminals.

With a view to establishing responsibility of the guilty individuals through the collection and assessment of all available evidence, this government is prepared to cooperate with the British and other governments in establishing a United Nations commission for the investigation of war crimes.

The number of persons eventually found guilty will undoubtedly be extremely small compared to the total enemy populations. It is not the intention of this government or of the governments associated with us to resort to mass reprisals. It is our intention that just and sure punishment shall be meted out to the ringleaders responsible for the organized murder of thousands of innocent persons and the commission of atrocities which have violated every tenet of the Christian faith.

BRITISH ANNOUNCE PLAN

Disown Tenet That All Germans Share War Guilt of Leaders

By Raymond Daniell

Wireless to The New York Times.

LONDON, Oct. 7 - The government seized the opportunity during a debate in the House of Lords today on punishment of war criminals to

repudiate formally "Vansittartism," as the tenet that all Germans share their leaders' culpability has come to be known.

The discussion of ways and means of punishing war crimes, precipitated by Viscount Maugham, former Lord Chancellor, was made the occasion for a declaration by Viscount Simon that the Allies do not intend to punish the Germans as a nation.

Lord Simon's statement was timed to coincide with a similar one issued by President Roosevelt in Washington.

A list of offenders against the rules of war and international law was being drawn up, he disclosed, and their surrender would be demanded as part of the armistice terms.

Announcement of the plan at this time was expected by the government to be an encouragement to the occupied countries and a safeguard against the wholesale massacre of Germans.

Lord Addison commended the plan as one that would avoid another such fiasco as in 1919, when the list of war criminals was withheld until the signing of the peace treaty and none was actually punished.

The Netherland and Belgian Ambassadors and members of the Yugoslav and Polish Embassy staffs listened attentively to the debate from the distinguished visitors' gallery.

In order to gain custody of the accused, said Lord Simon, the United States and Great Britain were making a joint declaration that the accused "wanted for war crimes should be caught and handed over at the time of and as a condition of the armistice with the right to acquire the delivery of others as soon as supplementary investigations are completed."

Lord Simon said the plan had the approval of the European Allies with headquarters here and that Fighting France had associated herself with the joint declaration. He said it had been submitted also to the Soviet Union, China, India and the British Dominions and their replies were awaited.

Lord Simon pointed out that the proposal contemplated post-war action in a field where there were few precedents, but he declared that the Nazis had cast out the whole international code and set no limits to the ferocity with which the inhabitants of occupied countries, the aged, the children, the women and the Jews had been treated.

Composition of Tribunals

During the debate some speakers raised the question whether war criminals should be tried by tribunals made up of nationals of the countries where their outrages were committed or by international courts, and whether these courts should be military or civil. Some speakers were concerned lest the culprits escape and claim the right of asylum in countries other than their own.

Lord Maugham suggested that British courts should have jurisdiction to try persons accused of serious crimes against British subjects, even though the crimes charged were committed on alien soil.

Answering these points, Lord Simon said he was much attracted by "the practical good sense" of the Marquess of Crewe's observation that military courts generally act with greater expedition than civil courts, and remarked that the laws of war permitted belligerent commanders to punish hostile offenders against the laws and customs of war. Prompt action was essential, he said, and the victorious armies and navies might prove the proper bodies to deal with many horrible crimes.

Lord Simon said he thought the composition of international courts would be a difficult problem with so many belligerents. Regarding the possibilities of extradition, he said there was not, as many persons believed, any private right recognized by international law as the right of asylum.

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檢察部文書第三二七三號

ニューヨーク・タイムス、一九四二年十月八日木曜

大統領聲明

ルーズヴェルト / ROOSEVELT / 大統領聲明ノ本文次ノ如シ

八月二十二日ニ余ハ我カ政府ガ被占領諸國、特に歐洲大陸ニ於テ敵軍ガ其人口中一般人ニ加ヘタル野蠻ナル犯罪ニ關シ間斷ナキ通報ニ接シ居ルコトヲ申述ベタノデアツタ。

戰勝ノ際ハ是等ノ犯罪ヲ犯シタ者ヲ法廷ニ於テ裁キラ受ケシムベキコトハ我カ政府ノ意圖デアリ、又余ノ知ルトコロデハ其ハ他ノ連合國ノ意圖スルトコロデモアル旨ヲ余ハ語ツタ。

此等ノ犯行ハ繼續サレテ居ルノデアル。

尙テ戰爭ガ勝利ノ終局ヲ見タ場合、戰爭犯罪人ヲ連合國ニ引渡スコトヲ含ム條項ヲ設ケルコトハ我政府ノ意圖デアルコトヲ余ハ改メテ言明スル。

入手シ得ベキ經テノ證據ノ蒐集及裁定ニヨリ犯罪者各個人ノ責任ヲ確定スル目的ヲ以テ我政府ハ戰爭犯罪審

理ノ爲聯合國委員會ヲ設ケル様英國及其他ノ國ノ政府
ト協力スル用意ガアル。

結局ニ於テ有罪トナルベキ人々ノ數ハ敵ノ全体ノ人口
ニ比ベテハ疑モナク極メテ少ナイダロウ

大量報復ノ手段ヲ採ルコトハ我政府又ハ聯合國政府ノ
意思デハナイ

數千ノ無辜ノ人々ノ組織的殺戮及恣意新信仰ノ凡テノ
教義ヲ侵犯スル殘虐犯行ニ付責任ヲ有スル首謀者ニ公
正且ツ確實ナル刑罰ヲ課スルコトガ我々ノ意圖スルト
コロスモノデアル

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英、計畫ヲ發表

指導者ノ戦争犯罪ニ全ドイツ人モ責ヲ分ツ
ベキモノトスル旨ヲ排ス

レモンド・ダニエル / RAYMOND DANIEL / 記

ニューヨーク・タイムズ / NEW YORK TIMES / 宛無電

ロンドン / LONDON / 十月七日發一政府ハ今日、
上院ニ於ケル戦争犯罪人處罰ニ關スル討論ノ際、
總テノ、ドイツ人ハソノ指導者ノ罪惡ヲ共ニ分ツ
ベキモノトスル主張ガ現レタトキ、公式ニ「ヴ
ァンシタート主義」 / "VANSITTARTISM" / ラ否認
スル機會ヲ授ヘタ。

元大法官モーム子爵 / VISCOUNT MAUGHAM / ニ

依リ授セラレタ戦争犯罪處罰ノ方法手段ニ就テノ論

議ハ、サイモン子爵 / VISCOUNT SIMON / ガ聯

合國ハ、ドイツ人ヲ一民族トシテ處罰スルノ意ナ

シト言明スルキツカケトナツタ。

サイモン卿 / LORD SIMON / ノ聲明ハ、ワシ

ントン / WASHINGTON / ニ於テ、ローズヴェルト

／ ROOSEVELT / 大統領ノ發シタ同様聲明ト時ヲ

同ジクスル様ニ行ヘレタ。

同卿ハ、戦争法規及國際法違反者ノ名簿ヲ作成中
デアルト。及ビ之等ノ者ノ引渡シハ休戦條件ノ
一部トシテ要求スルコトナルコトヲ明カニシタ。
今同ノ本案發表ガ後占領諸國ニ對スル裁縛トナリ
且ツドイツ人ニヨル大量殺戮ニ對スル防衛トナル
ベキコトガ政府ニ依リ期待サレテイル。

アデyson卿 / HUGH ADLSON / ハ、當時戦争犯罪
者名簿ガ平和條約ノ署名ノ際適宜保サレ、實際ニ
一名モ處罰サレタ者ノナカツタ。一九一九年ノ時
ノ様ナ大失敗ヲ又繰返スコトラ防グモノトシテ、
本案ヲ稱讃シタ。

オランダ及ベルギー兩國大使、並ニエーゴトスラ
ヴィア及ビポーランド兩國大使信員ハ貴賓席デ、
此ノ討論ヲ熱心ニ傾聴シテイタ。

サイモン卿 / LORD SIMON / ハ、合衆國及ビ英
國ハ、被告ヲ我方ニ收容スルタメ、一戦争犯罪ノ
故ニ身柄ヲ求メラル、被告ハ逮捕ノ上補足調査ノ
完了次第其他ノ者ノ引渡シヲ受クル權利ト共ニ、
休戦ノ一條件トシテ、休戦ノ際引渡サルベキモノ
トストイス共同聲明ヲ作成中デアルト述べタ。

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サイモン卿 / LORD SIMON / ハ、右案ハ當地ニ司
令部ヲ置イテ居ル、ヨーロッパノ聯合諸國ノ承認
ヲ待テ居ルコト及ビ「抗爭フランス」ガ右共同協
ニ參加シテキルコト、ヲ述べタ。尙右ハソ卿、中
國、インド、及ビ大英自治領諸國ニモ提示セラレ
ソノ回答ヲ待ツテキルト述べタ。

サイモン卿 / LORD SIMON / ハ、此ノ提議ガ目前
ノ需ナ方面ニ於ケル戦後ノ措置ヲ企圖スルモノデ
アルコトヲ指摘シタ、但シ彼ハ、ナチガアラエル
國際法規ヲ無視シ、且ツ彼占領國ノ住民ヲ、毫
毫女タルトユダヤ人タルトラ同ハズ之ヲ取扱フニ
限リナキ暴虐ヲ以テシテキルカラダト嘆へタ。

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國際檢察部文書第三二七三號

裁 判 所 ノ 構 成

討論中若干ノ辯士ハ戦争犯罪人ハ彼等ノ暴行ガ行
ハレタ諸國ノ國籍人ニヨツテ構成サレル裁判所ニ依
リ審理サルベキモノカ或ハ國際裁判所ニ依リ審理サ
ルベキモノカ、又コレハ軍事裁判所ニスベキカ普通
裁判所ニスベキカ、ト云フ質問ヲ提出シタ。發言者
ノ中ニハ、犯罪人達が逃亡シテ自國外ノ諸國ニ於テ
保護權ヲ要求シハシナイカトイフ點ヲ懸念スル者モ
アツタ。

モイム／MAUGHAM／卿ハ、英國裁判所ハ假令他國ノ
領土テ犯サレタモノデアツテモ英國民ニ對スル重大
ナル犯罪ニ關シ起訴サレタル者ニ對シテハ、之レヲ
審理スル權限ヲ持ツベキダ、ト提議シタ。

コレ等ノ點ニ答ヘテサイモン／SHEER／卿ハ、軍事
裁判所ハ一般ニ普通裁判所ヨリ是ニ迅速ニ事ヲ進ブ
ト云フクルー／CROWE／侯ノ所説ノ「實際的ナ常識」
ニハ深イ感銘ヲ覺エルモノダト言ヒ、戦争法規ハ交
戰國指揮官ニ戦争法規及慣習ニ違反セル敵國人ヲ所
罰スルコトヲ許シテ居ル、ト言フタ。彼ハ、迅速ナ
行動ガ肝要デアリ、且ツ戰勝國海軍ハ多クノ恐ルベ
キ犯罪ヲ處理スルニ適當ナ機關デアルト言フタ。

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サイモン／SIMON／卿へ、交戦國ガソノヨウニ多ク
テハ國際裁判所ノ構成ハ難問題デアルト考ヘルト言
フタ。亡命者引渡ノ可能性ニ關シテハ、彼ハ多クノ
人々ガ信シテ居ルヨウニ、保護權ノ如キ私權ハ何等
國際法ニ依リ認めラレナイナイト述べタ。